

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 95-028-W - ORDER NO. 95-1561✓
SEPTEMBER 25, 1995

IN RE: Application of Carolina Water Service,) ORDER
 Inc. for Approval of a Water Supply) RECOGNIZING
 Agreement Between Carolina Water Service,) WITHDRAWAL OF
 Inc. and the City of West Columbia.) APPLICATION

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Carolina Water Service, Inc. (CWS or the Company) for approval of a Water Supply Agreement between CWS and the City of West Columbia (the Agreement). The Agreement would allow CWS to obtain wholesale bulk water from the City of West Columbia which CWS would then resell to its customers in the Company's I-20 corridor service area.

The Application was filed with the Commission on December 29, 1994. The Application was noticed to the public, and the Commission received several Petitions to Intervene and many Letters of Protest against the Application. On July 18, 1995, the Commission convened a public hearing at the Oak Grove Community Center located on Oak Grove Drive in West Columbia, South Carolina. The purpose of the July 18th hearing was to receive public comment from the customers of CWS regarding the pending Application. Following the July 18th hearing, the Commission

instructed the Commission Staff to investigate concerns expressed at the hearing by CWS customers. The Staff was instructed to investigate (1) the accuracy of the meters in the CWS I-20 corridor service area, (2) the meter reading practices of CWS in the I-20 corridor service area, and (3) the method employed by CWS in notifying the customers of the July 18th hearing.

Subsequently, by letter received by the Commission on August 25, 1995, CWS notified the Commission that it was withdrawing the instant Application. At its regularly scheduled meeting on August 29, 1995, the Commission voted to proceed with the evidentiary hearing in this matter scheduled for September 6, 1995.

The September 6, 1995, hearing was convened in the Commission's Hearing Room at 111 Doctors Circle, Columbia, South Carolina at 7:00 p.m. The Honorable C. Dukes Scott, Commissioner for the Second District, presided. Richard L. Whitt, Esquire, represented CWS, and Florence P. Belser, Staff Counsel, represented the Commission Staff. Intervenor Fred C. Pieper, III; Michael C. Watford, Sr.; and Brenda W. Bryant appeared pro se. CWS did not present any witnesses. William E. Unthank, Jr., City Administrator for the City of West Columbia, appeared and testified at the request of the Commission. Each of the Intervenor testified in his/her own behalf, and the Staff presented the testimony of Charles A. Creech and Eddie Coates. Additionally, twelve public witnesses testified.

At the beginning of the hearing, Mr. Whitt, on behalf of CWS, reiterated that CWS had withdrawn its Application as

evidenced by the letter delivered to the Commission on August 25, 1995. Mr. Whitt stated that CWS' position is that the Application was withdrawn subject to the Commission ruling on the withdrawal. CWS presented no witnesses at the hearing.

Based on the procedural history of the instant Application and the testimony presented at the two hearings held in this Docket, the Commission finds and concludes that it is in the public interest to recognize the withdrawal of the Application. The testimony from the customers, who would be affected by the approval of the Application, is overwhelmingly against approval of the Application. The negative response from the customers, along with the Company's desire to withdraw the Application, lead the Commission to its decision to recognize the withdrawal of the Application. The Commission also holds in abeyance the other matters such as meter accuracy, meter reading and billing questions, which have arisen in this Docket.

IT IS THEREFORE ORDERED THAT:

1. The Commission hereby recognizes the withdrawal of the Application by CWS.

2. The Staff is instructed to work with the Company and the customers regarding a solution to the problems and concerns in the CWS I-20 corridor service area.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)